

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

68-0157 (9-06) - 3091078 - EI

STEPHANIE J HAYES

Claimant

APPEAL NO. 18A-UI-06231-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/29/18

Claimant: Appellant (1)

Iowa Code Section 96.3(7) – Overpayment

STATEMENT OF THE CASE:

Stephanie Hayes filed a timely appeal from the June 1, 2018, reference 02, decision that held she was overpaid \$808.00 in unemployment insurance benefits for the two-week period of May 13-26, 2018, based on an earlier decision that disqualified her for benefits in connection with a discharge for misconduct from employment with Metlife Group, Inc. After due notice was issued, a hearing commenced on June 22, 2018 and concluded on June 26, 2018. The hearing in the matter was consolidated with the hearing in Appeal Number 18A-UI-06230-JTT. Ms. Hayes participated. Exhibits 1, 2 and 3 were received into evidence. The administrative law judge took official notice of the Agency's administrative record of benefits disbursed to the claimant.

ISSUE:

Whether Ms. Hayes was overpaid \$808.00 in unemployment insurance benefits for the two-week period of May 13-26, 2018, based on an earlier decision that disqualified her for benefits in connection with a discharge for misconduct from employment with Metlife Group, Inc.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Stephanie Hayes established an original claim for unemployment insurance benefits that was deemed effective April 29, 2018. Ms. Hayes received \$808.00 in unemployment insurance benefits for the two-week period of May 13-26, 2018. On May 31, 2018, an Iowa Workforce Development Benefits Bureau deputy entered a reference 01 decision that disqualified Ms. Hayes for benefits, based on the deputy's conclusion that Metlife Group, Inc. discharged Ms. Hayes on May 3, 2018 for misconduct in connection with the employment. The May 31, 2018, reference 01, disqualification decision prompted the overpayment decision from which Ms. Hayes appeals in the present matter. The May 31, 2018, reference 01, disqualification decision has been affirmed in Appeal Number 18A-UI-06230-JTT.

REASONING AND CONCLUSIONS OF LAW:

Iowa Code section 96.3(7) provides that if a claimant receives benefits and is deemed ineligible for the benefits, Workforce Development must recover the benefits and the claimant must repay the benefits, even if the claimant was not at fault in receiving the benefits.

Because Ms. Hayes received the benefits in question and because the May 31, 2018, reference 01, disqualification decision that prompted the overpayment determination has been affirmed on appeal, the evidence establishes that Ms. Hayes was indeed overpaid \$808.00 in unemployment insurance benefits for the two-week period of May 13-26, 2018. Ms. Hayes must repay the benefits.

DECISION:

The June 1, 2018, reference 02, decision is affirmed. The claimant was overpaid \$808.00 in unemployment insurance benefits for the two-week period of May 13-26, 2018. The claimant must repay the benefits.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs